

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION**

Randall Wayne Enyeart,

Petitioner,

Civil No. 05-941 MJD/AJB

v.

ORDER

Gregory L. Webster,

Respondent.

Based upon the Report and Recommendation by United States Magistrate Judge Arthur J. Boylan dated November 9, 2005, with all the files and records, and no objections having been filed to said Recommendation, **IT IS HEREBY ORDERED** that Randall Wayne Enyeart's Petition pursuant to 28 U.S.C. § 2254 for Writ of Habeas Corpus [Docket No. 1] is **dismissed without prejudice.**

Dated: December 5, 2005

Michael J. Davis
Michael J. Davis
United States District Court Judge